

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

DONALD J. TRUMP, Candidate for President of
the United States of America,

Plaintiff,

Case No. 2:20-cv-01785-BHL

vs.

THE WISCONSIN ELECTIONS
COMMISSION, and its members, ANN S.
JACOBS, MARK L. THOMSEN, MARGE
BOSTELMAN, DEAN KNUDSON, ROBERT
F. SPINDELL, JR., in their official capacities,
SCOTT MCDONELL in his official capacity as
the Dane County Clerk, GEORGE L.
CHRISTENSON in his official capacity as the
Milwaukee County Clerk, JULIETTA HENRY
in her official capacity as the Milwaukee
Election Director, CLAIRE WOODALL-
VOGG in her official capacity as the Executive
Director of the Milwaukee Election
Commission, MAYOR TOM BARRETT, JIM
OWCZARSKI, MAYOR SATYA RHODES-
CONWAY, MARIBETH WITZEL-BEHL,
MAYOR CORY MASON, TARA COOLIDGE,
MAYOR JOHN ANTARAMIAN, MATT
KRAUTER, MAYOR ERIC GENRICH, KRIS
TESKE, in their official Capacities; DOUGLAS
J. LA FOLLETTE, Wisconsin Secretary of
State, in his official capacity, and TONY
EVERS, Governor of Wisconsin, in his Official
capacity,

Defendants.

**NOTICE OF MOTION AND MOTION BY NON-PARTIES WISCONSIN STATE
CONFERENCE NAACP, DOROTHY HARRELL, WENDELL J. HARRIS, SR., AND
EARNESTINE MOSS TO INTERVENE AND FOR LEAVE TO FILE A RESPONSE TO
PLAINTIFF'S MOTION ON THE SAME SCHEDULE AS DEFENDANTS**

Pursuant to Rule 24 of the Federal Rules of Civil Procedure, the Wisconsin State Conference NAACP (the “organizational Applicant”) and Dorothy Harrell, Wendell J. Harris, Sr., and Earnestine Moss, (together, the “individual Applicants”) respectfully move to intervene in this case as Defendants.

Applicants seek intervention as of right under Rule 24(a)(2) or, alternatively, permissive intervention under Rule 24(b)(1)(b). Applicants have sought consent to intervention from all parties. Counsel for Defendants Tony Evers, Scott McDonell, George Christenson, Julietta Henry, and Claire Woodall-Vogg do not object to the relief sought in this motion. Counsel for Applicants have contacted counsel for the remaining parties to this action seeking their position on this motion but have not yet received decisions from those counsel.

This motion is based upon the accompanying brief and the declarations of the individual Applicants.

Applicants request expedited consideration of this motion, because the President’s Complaint seeks an injunction that would effectively nullify the results of Wisconsin’s November 3, 2020, General Election. The deadline for state certification of presidential electors is December 8, 2020, 3 U.S.C. § 5; *see Bush v. Gore*, 531 U.S. 98, 110 (2000); and the date on which those electors are to give their votes is December 14, 2020, 3 U.S.C. § 7.

WHEREFORE, Applicants respectfully request that this Court grant their motion to intervene as of right, or in the alternative, grant permissive intervention, and that the Court grant Applicants leave to file a response to President Trump’s motion for injunctive relief on or before the date on which Defendants must file a response to the President’s motion.

Dated this 3rd day of December, 2020.

s/ Mark M. Leitner

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